



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,725	06/07/2000	Shusaku Uchibori	F-10190	8888

21254 7590 10/17/2006

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER

TO, JENNIFER N

ART UNIT PAPER NUMBER

2195

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/588,725	UCHIBORI, SHUSAKU	
	Examiner	Art Unit	
	Jennifer N. To	2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-16 are pending for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
4. As per claims 1, 10, and 14, recited the limitation of "wherein each event identifier identifies the type of task". However, this limitation was not support or described in the specification. According to the specification page 4, lines 25-26, event identifiers identifies the corresponding task. There is nowhere in the specification that disclosed each event identifier identifies the type of task. Hence, claims 1, 10, and 14 contained subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. For the purpose of

examination examiner interpreted the recited limitation as "wherein each event identifier identifies the associated task"

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The claim language in the following claims is not clearly understood:

- i. as per claim 1, lines 10-11, it is not clearly understood what is meant by "each event identifier identifies the type of task" (i.e. there are more than one type of tasks OR each event identifier has an associated task).
 - ii. as per claims 10, and 14, they have the same deficiency as claim 1.
- Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over lizuka et al. (hereafter lizuka) (U.S. Patent No. 5251317).

9. lizuka was cited in the previous office action.

10. As per claims 1, lizuka teaches the invention substantially as claim including a task system comprising:

a storage for storing an event identifier for each event of a plurality of events (fig. 1, item 15; col. 3, lines 31-37; col. 4, lines 51-59);

a task control device for creating a task based on at least one of said events (fig. 1; col. 3, lines 12-18; col. 3, lines 47-58); and

a task processing device for executing a plurality of tasks (col. 2, lines 65-67; col. 3, lines 1-6, 38-46, 59-64),

whereupon completing a first task of said plurality of tasks, said task processing device initiates a search for another event identifier, and if said another event identifier is the same as an event identifier corresponding to said first task, then processes a second task, corresponding to said another event identifier, using a resource used by said first task (figs. 8A-B; col. 5, lines 28-35).

11. lizuka did not specifically teach that wherein an event identifier identifies the associated task.

Art Unit: 2195

12. However, lizukad disclosed that each ID (event identifier) identifying data corresponding to the related data processing as that are executed by the associated task (col. 3, lines 14-18).

13. It would have been obvious to one of an ordinary skill in the art that the time the invention was made to have recognized that lizukad teaching of each ID (event identifier) identifying data corresponding to the related data processing as that are executed by the associated task is allured to the fact that each event identifier pointed to the associated task. Therefore, one would be motivated to utilize lizukad's system for controlling resource shared by a plurality of tasks (lizukad, col. 1, lines 8-9).

14. As per claim 2, lizuka teaches that wherein a first resource used by said first task, which is completed, is released from said task processing device toward said storage, when said another event identifier is not the same as said event identifier corresponding to said first task (col. 4, lines 32-50).

15. As per claim 3, lizuka teaches that wherein said first resource is released from said storage, when said first resource is transferred from said storage via said task control device to said task processing device (col. 4, lines 51-65).

16. As per claim 4, lizuka teaches that wherein:

Art Unit: 2195

said storage stores said event identifier corresponding to said first task, which is executed by said task processing device (col. 3, lines 31-37; col. 5, lines 28-35), and

said task control device executes a search for said event identifier corresponding to said first task in order to create said second task, which is the same as said first task, and executes said second task after completing said first task (col. 4, lines 51-68; col. 5, lines 1-35).

17. As per claim 5, lizuka teaches that whereupon completing said first task, said processing device deletes said event identifier corresponding to said first task from said storage (col. 4, lines 51-65).

18. As per claim 6, lizuka teaches that wherein said storage includes a task resource storing unit (fig. 1).

19. As per claim 7, lizuka teaches that wherein said task control device includes an event checker that identifies said event identifier for each task of said plurality of tasks (figs 1-8).

20. As per claim 8, lizuka teaches that wherein said task control device includes a task creator that creates a task corresponding to said event identifiers (figs. 1-8; col. 3, lines 12-18).

21. As per claim 9, lizuka teaches that wherein said task control device includes a task resource manager that transfers a task resource, corresponding to said event identifier, to said task processing unit (col. 2, lines 21-26).

22. As per claims 10-13, they are rejected for the same reasons as claims 1, and 5-9 above.

23. As per claim 14, lizuka teaches the invention substantially as claim including a method of processing a task, comprising:

processing a first task with a first task resource (col. 4, lines 9-50);

determining whether a first event identifier corresponding to said first task is the same as second event identifier corresponding to a second task (col. 5, lines 9-19);

deleting said first event identifier, corresponding to said first task from an event storing unit, upon completion of said processing (col. 4, lines 51-65); and

processing said second task with said first task resource, if said second event identifier, is the same as said first event identifier (col. 4, lines 66-68; col. 5, lines 1-35).

24. lizukad did not specifically teach that wherein an event identifier identifies the associated task.

25. However, lizukad disclosed that each ID (event identifier) identifying data corresponding to the related data processing as that are executed by the associated task (col. 3, lines 14-18).

26. It would have been obvious to one of an ordinary skill in the art that the time the invention was made to have recognized that lizukad teaching of each ID (event identifier) identifying data corresponding to the related data processing as that are executed by the associated task is allured to the fact that each event identifier pointed to the associated task. Therefore, one would be motivated to utilize lizukad's system for controlling resource shared by a plurality of tasks (lizukad, col. 1, lines 8-9).

27. As per claim 15, lizuka further teaches acquiring a second task resource into a processing unit, if said second event identifier is not the same as said first event identifier (col. 4, lines 9-31).

28. As per claim 16, lizuka further teaches initially storing a first event and said first event identifier in said event-storing unit (col. 4, lines 9-31; col. 5, lines 28-35); and creating said first task corresponding to said first event (col. 3, lines 11-18).

Response to Arguments

29. Applicant's arguments filed 07/20/2006 with respected to claims 1-16 had been fully considered but they are not persuasive.

30. In the remarks applicant argued:

- 1) lizukad fails to teach initiating a search for another event identifier and processing a second task having an event identifier that is the same as a first task.
- 2) lizukad fails to teach the event identifier identifying the type of task.

Based on the rejection above (paragraph 4), examiner interpreted applicant remarked as lizukad fails to teach the event identifier identifying the associated task.

31. Examiner respectfully traverses Applicant's remarks:

- i. as to point (1), lizukad teaches initiating a search for another event identifier and processing a second task having an event identifier that is the same as a first task (figs. 8A-B; col. 5, lines 9-19-35; col. 5, lines 58-62). In addition, lizukad disclosed that one or more tasks can access to the same resource only if their IDs (event identifiers) are identical (col. 5, lines 32-35). It would have been obvious to one of an ordinary skill in the art that the time the invention was made to have recognized that one must be initiating a search for the same IDs (event identifiers) of the one or more tasks in order for the one or more tasks to access the same resource. Hence, lizukad teaches initiating a search for another event identifier and processing a second task having an event identifier that is the same as a first task.

Art Unit: 2195

- ii. as to point (2), lizukad disclosed that each ID (event identifier) identifying data corresponding to the related data processing as that are executed by the associated task (col. 3, lines 14-18). It would have been obvious to one of an ordinary skill in the art that the time the invention was made to have recognized that lizukad teaching of each ID (event identifier) identifying data corresponding to the related data processing as that are executed by the associated task is allured to the fact that each event identifier pointed to the associated task. Therefore, one would be motivated to utilize lizukad's system for controlling resource shared by a plurality of tasks (lizukad, col. 1, lines 8-9).

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Saito et al. (U.S. Patent No. 6578006), and Pronsati et al. (U.S. Patent No. 6678716) teach task management system.

33. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer N. To whose telephone number is (571) 272-7212. The examiner can normally be reached on M-T 6AM- 3:30 PM, F 6AM- 2:30 PM.


35. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

36. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Art Unit: 2195

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jennifer N. To
Examiner
Art Unit 2195


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100